

REMARKS

Claims 19-22 are pending in the subject application. Claims 1 -18 were cancelled in a preliminary Amendment mailed on April 4, 2004, and claims 23-34 have been cancelled in this Response to Restriction Requirement.

In the September 30, 2005 Office Action, the Examiner required that the invention be restricted to one of the following groups:

- Group I. Claims 19-22, drawn to benzoaxine compounds and simple composition; and
- Group II. Claims 23-34, drawn to complex composition and a method of treatment.

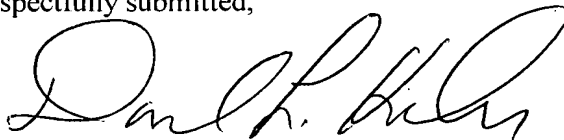
The Examiner assert that “[t]he inventions are distinct, each from each other.” In particular, the Examiner states that “Group I is drawn to benzoxazine compounds and simple composition and is different from Group II that is drawn to complex composition of benzoxazine compounds and methods of use.” The Examiner further states that “Group II has an additional ingredient (anti-tumor agent) that is not present in Group I.” The Examiner contends that “Groups I and II are directed to group of compounds that have different composition and do not belong to the same recognized class of chemical compounds in the art, and references anticipating on e invention, would not render obvious the others.”

Although we disagree with the Examiner’s assertion, Applicants hereby elect Group I, drawn to claims 19-22 in order to expedite the prosecution of the subject application. Claims 23-34 have been cancelled. Applicants reserve the right to file divisional or continuation applications directed to the nonelected subject matter.

CONCLUSION

If the Examiner wishes to comment or discuss any aspect of this application or response, Applicants' undersigned agent invites the Examiner to call him at the telephone number provided below.

Respectfully submitted,



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